

APPENDIX B: EXISTING PROTECTION SYSTEMS - FEDERAL AND STATE

National Flood Insurance Program:

All of Rhode Island's 39 municipalities participate in the NFIP. This program is a direct agreement between the federal government and the local community that flood insurance will be made available to residents in exchange for community compliance with minimum floodplain management regulations. Communities participating in the NFIP must:

- Adopt the Flood Insurance Rate Maps as an overlay regulatory district
- Require that all new construction or substantial improvement to existing structures in the flood hazard area be elevated or (if nonresidential) floodproofed to the identified flood level on the maps
- Require design techniques to minimize flood damage for structures being built in high hazard areas, such as floodways or velocity zones

In return for community adoption of these standards, any structure in that community is eligible for protection by flood insurance, which covers property owners from losses due to inundation from surface water of any source. Coverage for land subsidence, sewer backup and water seepage is also available subject to the conditions outlined in the NFIP standard policy (see Appendix A, Federal Resources, for contacts regarding insurance coverage and purchase). Since homeowners' insurance does not cover flooding, a community's participation in the NFIP is vital to protecting property in the floodplain as well as being essential to ensure that federally backed mortgages and loans can be used to finance floodprone property.

Community Rating System:

A voluntary initiative of the NFIP, the CRS was developed to encourage communities to perform activities that exceed the minimum NFIP floodplain management standards. If a community participating in the CRS performs activities that include maintaining records for floodplain development, publicizing the flood hazard, improving flood data, and floodplain management planning, then the flood insurance premiums paid by policy holders in the community will be reduced by 5 to 45 percent. Developing a flood mitigation plan will help communities gain additional credit under the CRS.

Coastal Barrier Resource Act:

Administered by the U.S. Fish and Wildlife Service, this program has mapped public and private land identified as undeveloped coastal barrier areas. These areas may be denoted as "Otherwise Protected Areas" if they are owned by public entities. In the coastal barrier areas shown on FEMA's Flood Insurance Rate Maps, structures newly built or substantially improved after the date shown on the maps are ineligible for federal flood insurance. This serves to restrict new development in these areas because the purchase of flood insurance is required to obtain federal-backed mortgages and improvement loans for structures located in special flood hazard areas.

State Barrier Beaches:

Your community may have barrier beaches, as defined by the state's R.I. Coastal Resources Management Program. The regulations applying to these areas are enforced by CRMC. These regulations restrict alteration of the beach and/or dunes and the construction of coastal engineering structures. New or substantially reconstructed buildings generally must be

elevated to a minimum of 1 foot above base flood elevation. No new commercial development is allowed on barrier beaches. If a structure is damaged more than 50 percent, it cannot be rebuilt.

Warning Systems and Emergency Operations Plans:

Your community may have a flood warning system in place and should have a plan for response to flooding. In addition, RIEMA has offices throughout the state that maintain area-wide plans for flood events.

Evacuation Plans and Systems:

Your community's emergency operations center should have evacuation plans in place. For communities near a nuclear power plant, evacuation plans are required, and may also be used for flood evacuation. RIEMA may have additional evacuation plan information.

Land Use Restrictions:

There are several federal and state regulations that serve to restrict land use in certain areas that may help reduce flood hazard vulnerability. If your community has open land owned by the state or federal government, examine what restrictions are placed on its development. In addition, the state Wetlands Protection Act regulates the development of all lands identified as significant to the protection of resources identified in the Act.

Septic Systems:

If there are areas in the community not served by a public sewer system, state septic system regulations influence development and may be a consideration for mitigation alternatives that include rebuilding and elevation of structures. Specific design requirements must be met for any construction in coastal velocity zones or river floodways. Generally, an inspection of a septic system is required if there is a change in use of the structure, an increase in flow, or failed system. Limited inspections are required if the footprint of the structure is being changed. Upgrades are required by the state if an inspection reveals a failed system. However, local regulations may be more restrictive than state requirements, requiring inspections or upgrades in other cases.

Economic/Community Development:

There may be programs existing to help floodproof homes using Community Development Block Grant funds. There may be housing assistance programs in the community that can be used following a major flood, achieving both the objectives of reducing flood damage and improving the community's housing stock (see Appendix A, federal resources, for more information).

Hazard Mitigation Grant Program:

Also known as the 404 Program or HMGP, this program is available only after a federally declared disaster occurs. It represents an additional 15 percent of all the infrastructure and individual assistance funds that are provided to states to repair damages and recover from losses, and is administered by the state in partnership with FEMA. Having a plan or completed mitigation action matrix prior to a disaster event is extremely helpful in meeting the state's deadlines for applications and ensuring the project is eligible and technically feasible. It provides 75/25 matching grants on a competitive basis to state, local, and tribal governments, as well as certain nonprofit organizations that can be matched by either cash or in-kind services. The grants are specifically directed toward reducing future hazard losses, and can be used for projects protecting property and resources against the damaging effects of floods, earthquakes, wind, and other hazards. Specific activities encouraged under the HMGP include acquiring damaged structures to turn the land over to the community for open

space or recreational use, relocating damaged or damage-prone structures out of the hazard area, and retrofitting properties to resist the damaging effects of disasters. Retrofitting can include wet- or dry-floodproofing, elevation of the structure above flood level, elevation of utilities, or proper anchoring of the structure.

Two programs that have been authorized under the National Flood Insurance Reform Act of 1994 include the Flood Mitigation Assistance (FMA) program and a provision for increased cost of compliance (ICC) coverage. FMA makes grants available on a pre-disaster basis for flood mitigation planning and activities, including acquisition, relocation, and retrofitting of structures. FMA grants for mitigation projects will be available only to those communities with approved hazard mitigation plans. ICC coverage has recently been implemented for all new NFIP policies and renewals and is intended to be “mitigation insurance” to allow homeowners whose structures have been repeatedly or substantially damaged to cover the cost of elevation and design requirements for rebuilding with their flood insurance claim up to a maximum of \$15,000. A certain amount of funding is allotted to each state per year based on a risk formula for floods. Each state has the discretion to award funds to communities or to state government agencies. States may use whatever criteria or method they choose to award the funds as long as the applicant and the proposal are eligible. The program may fund up to 75 percent of the total cost of the proposed project, with a minimum of 25 percent of the cost coming from the community. A minimum of half the community share must be cash or “hard match.” Funds can also be granted to communities to help them prepare local flood mitigation plans. The same match requirements apply. Once a community receives a planning grant, however, it is not eligible to receive additional planning grants for another five years. For further information on the FMA program or ICC coverage contact RIEMA at (401) 946-9996.

Earthquakes and Hurricanes:

A certain amount of funding is allotted to each state per year based on a risk formula for earthquakes. Coastal states are allocated funds based on a risk formula for hurricanes. Each state receiving such funds has the ability to grant project funds to a community. There is not a match requirement on the part of the community, but the funds are limited, and are generally only available once a year. The projects or products proposed for such funding must demonstrate that earthquake or hurricane risk will be reduced or eliminated, and the proposed project or product is a cost-effective measure (a stringent cost/benefit analysis need not be performed).

Information about the amount of funding available per year and the state requirements for eligibility and performance may be obtained from RIEMA at (401) 946-9996.